

MINUTES  
BOARD OF EXAMINERS  
OF CONSTABLES  
MEETING  
TUESDAY  
OCTOBER 4, 2016  
1:00 P.M.  
TATNALL BUILDING  
150 MARTIN L. KING, JR. BOULEVARD SOUTH  
ROOM 112  
DOVER, DE

I. Call to Order

Lt. Col. Hudson called the meeting to order at 1300 hours. The meeting was recorded and the Professional Licensing Section will maintain the records.

Introductions were done around the table of the Board and Staff members and the guests in attendance.

The following members of the Board of Examiners were in attendance:

Lieutenant Colonel Monroe B. Hudson, Jr.  
Captain Laura O'Sullivan  
Chief William E. Bryson

The following members of the Board of Examiners were absent:

Ralph K. Durstein, III, Esquire  
Mr. John F. Tharan

The following staff members were in attendance:

Rae Mims, Esquire  
Lieutenant Kerry B. Reinbold – Professional Licensing Section  
Sergeant Matthew M. Zolper – Professional Licensing Section  
Ms. Peggy L. Anderson – Professional Licensing Section  
Mr. Michael Terranova – DTCC Representative

The following staff members were absent:

Captain S. Benjamin Parsons – State Bureau of Identification

The following guests were in attendance:

Ms. Holly Porter  
Ms. Sherri Warburton  
Mr. Dan Shelton  
Ms. Courtney Voshell

II. Review and Acceptance of Minutes  
A. July 26, 2016

Chief Bryson, with a second by Lt. Col. Hudson, made a motion to approve the minutes from 07/26/16 with the noted change. The motion was carried.

III. New Entities  
A. Capital School District – *Exhibit A*  
1. Courtney Voshell

Ms. Anderson presented Capital School District and Exhibit A as requesting Constable positions from the Board. Mr. Shelton is here to present their case.

When asked if this would replace the School Resource Officers, Mr. Shelton stated that they would be in addition to them.

Lt. Col. Hudson spoke he had noted that Capital is following the IRSD model for constables – do they intend to hire retired law enforcement. Mr. Shelton stated that yes, and they are looking for individuals with a minimum of 10 years of law enforcement.

The individuals would open carry a weapon and would be visibly notable, with their soft style uniform, as constables.

After further discussion, Lt. Col. Hudson, with a second by Chief Bryson, made a motion to approve Capital School District as presented for new constable positions. The motion was carried.

2. Badge – *Exhibit B*

Chief Bryson, with a second by Lt. Col. Hudson, made a motion to approve the badge for Capital School District as presented. The motion was carried.

3. Constables  
a. Vincent A. Green

Ms. Anderson informed the Board that Mr. Green did not pass the test taken twice – 09/29/16 & 10/03/16, therefore he must take the Constable Academy, in accordance with Rule 1.6 of the promulgated rules & regulations.

This is informational purposes only. No vote necessary.

- b. Barry A. Jones

Ms. Anderson informed the Board that Mr. Jones had previously been a constable with Bayhealth.

Chief Bryson, with a second by Lt. Col. Hudson, made a motion to approve A.3.b. as presented for a new constable commission. The motion was carried.

Lt. Col. Hudson called the Executive Session at 1312 to discuss a psychological evaluation.

Lt. Col. Hudson concluded the Executive Session at 1321.

As a result of the Executive Session, Professional Licensing is to create a study guide on Delaware law for the prior law enforcement from out of state.

- c. Charles Woodard

Chief Bryson, with a second by Capt. O'Sullivan, made a motion to approve A.3.b. as presented for a new constable commission.

- IV. Terminations/Resignations
  - A. Bayhealth Public Safety
    - 1. Barry A. Jones
  - B. Christiana Care Health System
    - 1. Paul J. DiGuglielmo
  - C. Delaware Technical and Community College
    - 1. Timothy J. Sullivan
  - D. Recovery Innovations
    - 1. Jacqueline Hammonds

Ms. Anderson informed the Board that IV.A.-D. is for informational purposes only. No vote necessary. As a note, Ms. Hammonds did not pass the test a second time, therefore Recovery Innovations rescinded their intent to hire her.

- V. Issues/Concerns/FYI
  - A. Delaware Animal Services Constable
    - Office of Animal Welfare
    - Division of Public Health

Ms. Anderson informed the Board that she had received all the backlog of information from everyone except for one MMPI – Ms. Rebecca L. Stratten. Chief Bryson inquired if the individual was working. The individual is more than likely working. Ms. Stratten was approved

pending a positive MMPI and could be working as an animal control officer and not as a constable. Ms. Anderson has not given her the commission or identification card. This was discussed at the last meeting.

Ms. Anderson informed the Board that V.A. is for informational purposes only. No vote necessary.

B. Delaware SPCA

Ms. Anderson informed the Board of the following correspondence with the Delaware SPCA:

- 08/21/16 – Received an e-mail from Kathy Kowalski, HR, DE SPCA with an updated information sheet attached
- 08/23/16 – Replied that DE SPCA gave up their ability for constable positions in an e-mail on 04/09/15 and the Board was notified on 05/01/15
- 09/09/16 – Sent an e-mail asking if DE SPCA was still interested in the constable positions – response was: Not at this time. Thank you.

Ms. Anderson informed the Board that V.B. is for informational purposes only. No vote necessary.

VI. Rule 4.0 – Badges & Vehicle Markings

- A. Delaware Technical and Community College
1. Vehicle – *Exhibit C*

Ms. Mims informed the Board that DTCC must have the approval from the Secretary for their vehicle lights.

Chief Bryson, with a second by Capt. O’Sullivan, made a motion to approve A.1. as presented for the vehicle. The motion was carried.

VII. Old Business

- A. Professional Licensing
1. Rules & Regulations

Ms. Anderson informed the Board that the following rules have been published and open for public comment. There were no comments received by this office. They now need a vote for final publication.

- a. Rule 1.0 – Licensing

Chief Bryson, with a second by Lt. Col Hudson, made a motion to approve A.1.a. as presented for final publication. The motion was carried.

b. Rule 5.0 – Firearms Policy

Chief Bryson, with a second by Lt. Col Hudson, made a motion to approve A.1.b. as presented for final publication. The motion was carried.

c. Rule 9.0 – Minimum Training Standards and In-Service Training

Ms. Anderson informed the Board that the Registrar's office had made some word change recommendations, but this was done before the first publication. It did not change the intent of the rule.

Chief Bryson, with a second by Lt. Col Hudson, made a motion to approve A.1.c. as presented for final publication. The motion was carried.

2. Firearms Guidelines & Curriculum

Ms. Anderson informed the Board that the guidelines and curriculum had been updated by the Firearms Committee and so that all three Boards are in sync this must be voted upon by this Board. They have been approved by the PI & PSA and BEA Boards already.

Chief Bryson, with a second by Lt. Col. Hudson, made a motion to approve the Firearms Guidelines & Curriculum as presented. The motion was carried.

3. In-Service

Ms. Anderson turned this section over to Mr. Terranova.

a. 2016 – *Exhibit D*

Mr. Terranova presented the results from the first on-line session – 106 had participated but not everyone has taken the test. There were some glitches with particular entities and their IT not allowing the individuals to log on and take the session. This has been rectified and Mr. Terranova will continue to work with them to improve it even more so. The next session is set for October 1<sup>st</sup> through November 1<sup>st</sup>.

Lt. Reinbold spoke about the Constable Overview Session for those retired officers to basically de-escalate them from law enforcement to constable status. DAG Mark Denney & Lt. Reinbold will be presenting the law enforcement overview in a 15 minute video and power point presentation.

Mr. Terranova stated that the Academic Integrity Policy is still in the Legal Department at DTCC.

b. 2017

Mr. Terranova asked what the Board would like to see given in the classroom 2017 In-Service. Topics were given with a discussion on what the entities would like to see at the meeting in November. This will be presented at the December meeting. Ms. Anderson stated that a poll from all the entities suggested Conflict De-escalation & Verbal Judo.

Discussion regarding the law amendment will be done at that meeting also and on-going with the DAG's.

B. Board Members

The Board Members did not have any old business at this time.

C. Lieutenant Colonel

Lt. Colonel Hudson did have any old business at this time.

VIII. New Business

A. Professional Licensing

1. Department of Agriculture – *Exhibit E*  
Division of Poultry & Animal Health
  - a. Holly Porter

Ms. Anderson informed the Board that Ms. Porter had contacted her in regards to the Constable Academy. The DDA has amended their law and put in that those individuals in animal cruelty and animal at large, basically for livestock, must attend the Academy. Ms. Porter is here to explain and hear what the Board has to say.

Ms. Porter explained that they followed the Animal Control Office when this law was amended. This can be found in 16 **Del C.** Ch. 3031(f)(d) and it states that they must take the Constable Academy.

It was explained that they do not want detain powers, or arrest powers, but only to investigate. They are not seeking constable positions, only to ask to attend the Academy.

The issue is that only individuals hired by an approved entity may attend the Constable Academy.

After further discussion, it was determined that if Legislation requires someone to attend the Academy, they are the only ones outside of the Board's realm that may attend.

Ms. Anderson is directed to be sure to include Ms. Porter in the notifications regarding the Constable Academy.

B. Board Members

The Board members did not have any new business at this time.

C. Lieutenant Colonel

Lt. Colonel Hudson did not have any new business at this time.

IX. Public Comment

Mr. Shelton thanked the Board for their time and attention.

X. Adjournment

A. Next Meeting

1. Wednesday, December 14, 2016 @ 10:00am
  - a. Tatnall Building, Room 112

Lt. Col. Hudson, with a second by Chief Bryson, made a motion to adjourn the meeting at 1403 hours. The motion was carried.